

09/22/03
15915 U.S. PRO

PATENT
ATTORNEY DOCKET NO.: 056076-5087-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

22387 U.S. PRO
10/664932
09/22/03

PRIOR APPLICATION: Examiner: R. Sergeant
Group Art Unit: 1711

**CONTINUATION, DIVISIONAL, AND CONTINUATION-IN-PART
PATENT APPLICATION TRANSMITTAL UNDER 37 C.F.R. § 1.53(b)**

This is a request for filing a patent application under 37 C.F.R. § 1.53(b).

1. This application is a ☒ Continuation ☐ Divisional ☐ Continuation-in-Part patent application under 37 C.F.R. § 1.53(b), of pending prior application no. 09/677,502, filed on October 2, 2000, of:

Inventor(s): Yoshio HASHIBE et al.

For: FIRE PROTECTION GLASS PANEL WITH A HEAT SHIELDING
CHARACTERISTIC

2. The papers enclosed are as follows:

12 Page(s) of specification including
0 Title Page
2 Pages of claims
1 Page of abstract
2 Sheets of drawings containing 3 Figures
Other: _____

Adjustment date: 12/01/2003 EEKUBAY1
09/23/2003 RHARIS1 00000081 500310 10664932
02 FC:1253 930.00 CR

1-WA/2054581.1

09/23/2003 RHARIS1-00000081-500310 10664932
02 FC:1253 930.00 CR



PLEASE STAMP AND RETURN TO SHOW RECEIPT OF:

New Continuation Patent Application of:

Yoshio HASHIBE et al.

Confirmation No.: 4484

Prior Application No.: 09/677,502

Prior Group Art Unit: 1711

Prior Application Filed: October 2, 2000

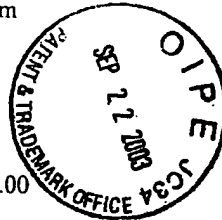
Prior Examiner: R. Sergeant

Continuation Application Filed: September 22, 2003

For: FIRE PROTECTION GLASS PANEL WITH A HEAT SHIELDING
CHARACTERISTIC

MS PATENT APPLICATION

1. Transmittal Form for Continuation Patent Application Under 37 C.F.R. § 1.53(b)
- ~~2.~~ Specification of 12 pages, 8 total claims having 1 independent claim
- ~~3.~~ Formal Drawings - 2 sheets - 3 total Figures
- ~~4.~~ Copy of Combined Declaration and Power of Attorney from prior
U.S. Application No. 09/677,502
5. Information Disclosure Statement
- ~~6.~~ PTO Form-1449, no references included
7. Please charge our Deposit Account 50-0310 in the amount of \$930.00
for the three month extension of time fee.



Date: September 22, 2003

Attorney Docket No.: 056076-5087-01

DLM/jaa

DOCKETED
By SAW Date 9-23-03



PATENT
ATTORNEY DOCKET NO.: 056076-5087-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

PRIOR APPLICATION: Examiner: R. Sergeant
Group Art Unit: 1711

**CONTINUATION, DIVISIONAL, AND CONTINUATION-IN-PART
PATENT APPLICATION TRANSMITTAL UNDER 37 C.F.R. § 1.53(b)**

This is a request for filing a patent application under 37 C.F.R. § 1.53(b).

1. This application is a ☒ Continuation ☐ Divisional ☐ Continuation-in-Part patent application under 37 C.F.R. § 1.53(b), of pending prior application no. 09/677,502, filed on October 2, 2000, of:

Inventor(s): Yoshio HASHIBE et al.

For: FIRE PROTECTION GLASS PANEL WITH A HEAT SHIELDING
CHARACTERISTIC

2. The papers enclosed are as follows:

12 Page(s) of specification including
0 Title Page
2 Pages of claims
1 Page of abstract
2 Sheets of drawings containing 3 Figures
Other: _____

3. Amendments

For continuation and divisional applications:

- ☐ Cancel in this application original claims _____ in the enclosed copy of prior application before calculating the filing fee. **[At least one original claim must be retained for filing purposes.]**
- ☐ A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)

4. Oath or Declaration

For continuation or divisional applications:

- ☐ A newly executed (original or copy) oath or declaration is enclosed.
- ☒ A copy of an oath or declaration from a prior application is enclosed under 37 C.F.R. § 1.63(d). The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied is considered as part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
- ☐ A signed statement deleting inventor(s) named in the prior application is enclosed.

For continuation-in-part applications:

- ☐ A newly executed (original or copy) oath or declaration is enclosed.
- ☐ An oath or declaration is not enclosed. This application is being filed under 37 C.F.R. § 1.53(f). Applicant(s) await notification from the Patent and Trademark Office of the time set for filing the declaration and paying the filing fees.

5. Relate Back - 35 U.S.C. § 120

☒ Amend the specification by inserting before the first line the sentence:

"This is a ☒ continuation ☐ divisional ☐ continuation-in-part
of copending application(s)

☒ Application No. 09/677,502, filed on October 2, 2000."

☐ International Application No. _____ filed on _____ and which
designated the U.S."

6. Priority - foreign applications under 35 U.S.C. § 119(a)-(d) or § 365(b) or PCT
international applications under 35 U.S.C. § 365(a) designating at least one country other
than the U.S.

☐ Priority of the following foreign application(s) is/are claimed:

| Country | Application No. | Filed |
|---------|-----------------|--------------------|
| Japan | 278023/1999 | September 30, 1999 |
| | | |

Certified copy(ies): ☐ is/are attached.

☐ will follow.

☒ was/were filed in prior U.S. Application No. 09/677,502 on
January 5, 2001.

7. Assignment

For continuation or divisional applications:

☒ The prior application is assigned of record to Nippon Electric Glass Co., Ltd.,
recorded October 2, 2000 at Reel/Frame 011210/0489.

☐ An assignment of the invention to _____ and a
PTO Form-1595, Recordation Form Cover Sheet, are enclosed.

For continuation-in-part applications:

- ☐ An assignment of the invention to _____ and a
PTO Form-1595, Recordation Form Cover Sheet, are enclosed.

8. Fee Calculation (37 C.F.R. § 1.16)

| CLAIMS FOR FEE CALCULATION | | | | |
|---|--------------|--------------|-----------------|--|
| | Number Filed | Number Extra | at Rate of | Basic Fee Utility \$750.00 Design \$370.00 |
| Total Claims (37 C.F.R. § 1.16(c)) | 8 - 20 = | 0 | \$ 18.00 each = | + \$ |
| Independent Claims (37 C.F.R. § 1.16(b)) | 1 - 3 = | 0 | \$ 84.00 each = | + \$ |
| Multiple dependent claim(s), if any (37 C.F.R. § 1.16(d)) | | | \$280.00 | + \$ |
| SUB-TOTAL = | | | | \$ |
| Reduction by ½ for filing by a small entity | | | | - \$ |
| TOTAL FILING FEE = | | | | \$ |

9. Fee Payment

- ☐ Not Enclosed. **NO FEE IS BEING PAID BY CHECK OR DEPOSIT ACCOUNT AT THIS TIME.**
This application is being filed under the provisions of 37 C.F.R. § 1.53(f).
Applicant(s) await notification from the Patent and Trademark Office of the time set for paying the filing fees.
- ☒ Please charge our Deposit Account No. 50-0310 in the amount of \$930.00 to cover the three month extension of time fee in parent application number 09/677,502.
- ☐ The fee for extra claims under 37 C.F.R. § 1.16(d) is not being paid at this time and no authorization is given to charge our deposit account for this fee.

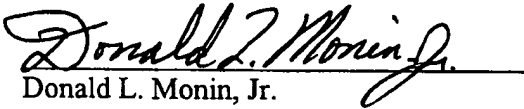
10. Small Entity Status is claimed and
- ☐ a statement claiming small entity status is enclosed, or
 - ☐ a small entity statement was filed in the prior nonprovisional application and is still proper and desired.
11. ☒ The power of attorney in the prior application is to at least one of the registered practitioners of Morgan, Lewis & Bockius LLP included in the Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and all correspondence shall be addressed to that Customer Number.
- Please address all correspondence to Morgan, Lewis & Bockius LLP at
Customer Number: 009629
12. ☐ Recognize as associate attorney _____
(name, address, and registration no.)
13. ☒ **PETITION FOR EXTENSION OF TIME.** If any extension of time is necessary for the filing of this application, including any extension in the prior application, application no. 09/677,502, filed October 2, 2000, for the purpose of maintaining copendency between the prior application and the present application, and such extension has not otherwise been requested, such an extension is hereby requested, and the Commissioner is authorized to charge necessary fees for such an extension to Deposit Account No. 50-0310.
14. ☒ **EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be an **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

15. Additional papers enclosed:

- ☐ Preliminary Amendment
- ☒ Information Disclosure Statement
- ☒ Form PTO-1449 without references
- ☐ Declaration of Biological Deposit
- ☐ Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

By: 
Donald L. Monin, Jr.
Reg. No. 47,256

Dated: September 22, 2003

Customer No. 09629
MORGAN, LEWIS & BOCKIUS LLP
1111 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
Telephone: 202-739-3000
Facsimile: 202-739-3001



DEP & REF
Room 307

RECEIVED

PATENT

ATTORNEY DOCKET NO. 056076-5087-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Yoshio HASHIBE et al.

Application No.: 10/664,932

Continuation of Application No.: 09/677,502

Filed on October 2, 2000

Filed: September 22, 2003

For: FIRE PROTECTION GLASS PANEL
WITH A HEAT SHIELDING
CHARACTERISTIC

MS Patent Application

Prior: Group Art Unit: 1241

Prior Examiner: R. Sergeant

Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, Mail Stop 16
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Sir:

REQUEST FOR REFUND

This is a request for a refund, with respect to particular charges to Deposit Account No. 50-0310, as shown on page 8 of 12 of the attached Deposit Account Statement dated September 30, 2003, for the above identified application.

Applicants filed a Continuation Patent Application Under 37 C.F.R. § 1.53(b) on September 22, 2003, with an authorization to charge Deposit Account No. 50-0310 an amount of \$930.00 for the three-month extension of time fee. However, this three-month extension of time was not necessary because a previous filing including a two-month extension and a Response maintained the pendency of the above-identified prior application number 09/677,502 such that the Continuation Patent Application could have been filed without filing a

three-month extension of time. Accordingly, a refund is requested for the amount of \$930.00, which reflects the excess charge for the three-month extension of time that was unnecessary .

A copy of the Continuation Patent application and stamped PTO receipt card reflecting Applicants' September 23, 2003 filing is attached.

Please make the refund by crediting Deposit Account No. 50-0310 in the amount of \$930.00.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Date: November 12, 2003

By: Donald L. Monin, Jr.
Donald L. Monin, Jr.
Reg. No. 47,256

CUSTOMER NO. 009629
MORGAN, LEWIS & BOCKIUS LLP
1111 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
Telephone: 202-739-3000
Facsimile: 202-739-3001